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and Nathan Bush

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

MISTY L. CASTILLO, as Personal
Representative of the ESTATE OF ARCADIO
CASTILLO, III,

Case No. 6:22-cv-00684-MK

Plaintiff,

v.

NATHAN BUSH, and CITY OF SALEM, a
municipal corporation,

Defendants.

**DECLARATION OF KENNETH S.
MONTOYA IN SUPPORT OF
DEFENDANTS' AMENDED ANSWER
TO PLAINTIFF'S AMENDED
COMPLAINT**

I, Kenneth S. Montoya, hereby declare under the penalty of perjury that the following is true and correct based upon my personal knowledge:

1. I am one of the attorneys representing the Defendants in this matter. This Declaration is offered in support of Defendants' Amended Answer to Plaintiff's Amended Complaint.

2. I conferred with counsel for Plaintiff, David Park, about filing an Amended Answer to the Amended Complaint. Upon reviewing Defendants proposed Amended Answer and after additional conferral, opposing counsel provided written consent for Defendants to file it with the Court in accordance with Fed. R. Civ. P. 15(2).

I hereby declare under the penalty of perjury that the following is true and correct.

DATED this 9th day of December, 2022.

s/ Kenneth S. Montoya
Kenneth S. Montoya, OSB #064467
Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing DECLARATION OF KENNETH S. MONTOYA IN SUPPORT OF DEFENDANTS' AMENDED ANSWER TO PLAINTIFF'S AMENDED COMPLAINT on:

David Park
324 S. Abernethy Street
Portland, OR 97239-8529

James M. Healy
Ronnie Lynn Sayer, I
235 Front St. SE Ste. 200
Salem, OR 97301
Attorneys for Plaintiff

by the following indicated method or methods:

- by **electronic means through the Court's Case Management/Electronic Case File system** on the date set forth below;
- by **emailing** a copy thereof to each attorney at each attorney's last-known email address on the date set forth below;
- by **mailing** a full, true, and correct copy thereof in a sealed, first-class postage-prepaid envelope, addressed to plaintiff's last-known address listed above and depositing it in the U.S. mail at Salem, Oregon on the date set forth below.

DATED this 9th day of December, 2022.

s/ Kenneth S. Montoya
Kenneth S. Montoya, OSB #064467
Rebeca A. Plaza, OSB #053504
Dan Atchison, OSB #040424
Of Attorneys for Defendants